



Atty. Dkt. No. 029318-1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Douglas HOVEY et al.
Title: NOVEL FLUTICASONE FORMULATIONS
Appl. No.: 10/768,194
Filing Date: 02/02/2004
Examiner: Unassigned
Art Unit: 1616

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

June 22, 2004

By

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1

of

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Complete if Known

| | |
|------------------------|---------------|
| Application Number | 10/768,194 |
| Filing Date | 02/02/2004 |
| First Named Inventor | Douglas Hovey |
| Group Art Unit | 1616 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 029318-1001 |

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| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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SignatureDate
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| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | | |
| | | | | Application Number | | 10/768,194 |
| | | | | Filing Date | | 02/02/2004 |
| | | | | First Named Inventor | | Douglas Hovey |
| | | | | Group Art Unit | | 1616 |
| | | | | Examiner Name | | Unassigned |
| Sheet | 2 | of | 3 | Attorney Docket Number | | 029318-1001 |

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| | | | | Examiner Name | Unassigned |
| Sheet | 3 | of | 3 | Attorney Docket Number | 029318-1001 |

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ⁶ |
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